

**DECLARATION OF INVENTORSHIP and
LIMITED POWER OF ATTORNEY**

As a below named inventor, I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled "Methods and Apparatus for Transmyocardial Direct Coronary Revascularization," which is described and claimed in Application No. 09/059,531 filed 04/13/98 and for which a patent is sought. My residence, post office address and citizenship are as stated below next to my name.

I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to herein.

I acknowledge my duty under Title 37, Code of Federal Regulations § 1.56(a) to disclose information which is material to the patentability of the invention I am claiming.

☒ I hereby claim the benefit under Title 35 United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Patent Application 08/730,496 filed October 11, 1996

United States Patent Application 08/837,295 filed April 11, 1997

As a named inventor and until I assign my rights to the invention, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith on my behalf: STEVEN C. SEREBOFF, Reg. No. 37,035, ROBERT D. BUYAN, Reg. No. 32,460, and RIVA W. BICKEL, Reg. No. 34,777. Send correspondence and direct telephone calls to: Mary J. Campbell, SEREBOFF & BUYAN, 2600 Michelson Drive, Suite 770, Irvine CA 92612; telephone 949/261-2252 x21, facsimile 949/261-2988, email: mcampbell@iplawexperts.com.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.

Joshua (NMI) Makower, of Los Altos, California, a citizen of U.S.A. Post office address: 450 Tyndall Street, Los Altos, CA 94025

Signature: [Signature] Date: 5/28/98

J. Christopher Flaherty of Los Altos, California, a citizen of U.S.A. Post office address: ~~766 La Prenda Road~~, Los Altos, CA 94024

Signature: [Signature] Date: 5/29/98

11 PINE LANE
JC7 5/29/98

Timothy R. Machold of Moss Beach, California, a citizen of U.S.A. Post office address: 56 Bernal Avenue, Moss Beach, CA 94024

Signature: [Signature] Date: 6/16/98

Jason Brian Whitt, of San Francisco, California, a citizen of U.S.A. Post office address: 2554 Franklin Street, San Francisco, CA 94133

Signature: [Signature] Date: 5/29/98

Margaret W. Tumas, of Orinda, California, a citizen of U.S.A. Post office address: 3 Rae Court, Orinda, CA 94563

Signature: [Signature] Date: 5/29/98

Theodore C. Lamson of Pleasanton, California, a citizen of U.S.A.. Post office address: 2172 Camino Brazos, Pleasanton, CA 94566

Signature: [Signature] Date: 5/29/98

Marc Jensen of Los Gatos, California, a citizen of U.S.A.. Post office address: P.O. Box 2126, Los Gatos, CA 95031

Signature: [Signature] Date: 5/29/98